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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JUAN MURILLO aka JUAN MANUEL MURILLO; MARIA MURILLO aka MARIA JUDITH MURILLO; MARTHA JIMENEZ; AMALIA RIOS aka AMALIA GALVAN RIOS; and MARIA MUÑOZ,) Case No: C07-02199 MEJ
Plaintiffs,) ALL PLAINTIFFS' AND DEFENDANTS
) CHASE HOME FINANCE LLC, WELLS
) FARGO BANK, N.A., AND OCWEN
) LOAN SERVICING LLC'S
vs.) STIPULATION TO EXTEND TIME TO
) FILE INITIAL RESPONSIVE
) PLEADING; [PROPOSED] ORDER
FRANCISCO CERVANTES; TERESA DIAZ;)
BOBBY RAY LEE; FIRST FEDERAL MORTGAGE)
BANKERS, INC. dba CITYWIDE PROPERTIES dba)
CITYWIDE HOME LOANS dba RAM CAPITAL)
CORP.; HAROLD BLANCO; EAGLE LITERACY)
GROUP, INC.; NEW CENTURY MORTGAGE)
CORP.; WELLS FARGO BANK, NA.; CHASE)
HOMES FINANCE, LLC, OCWEN LOAN)
SERVICING, LLC and DOES 1-100,)
Defendants.)

STIPULATION TO EXTEND TIME TO FILE INITIAL RESPONSIVE PLEADING; ~~PROPOSED~~ ORDER
(Case no. C07-02199 MEJ) -

1 WHEREAS, on April 20, 2007, plaintiffs Juan Murillo, Maria Murillo, Martha Jiminez, Amalia
2 Rios and Maria Muñoz (“plaintiffs”) through their former attorney of record Housing and Economic
3 Rights Advocates (HERA) filed a Complaint for damages naming, among other defendants,
4 “JPMorgan Chase Bank, N.A. dba Chase Home Finance LLC” (“Chase”), Ocwen Loan Servicing LLC
5 (“Ocwen”), Wells Fargo Bank, N.A. (“Wells Fargo”), and all other defendants named therein;”

6 WHEREAS, on June 27, 2007, plaintiffs filed a First Amended Complaint for damages
7 naming, among other defendants, Chase, Ocwen, “and all other defendants named therein;”

8 WHEREAS, on June 28, 2007, plaintiffs filed an Ex Parte Application Seeking Relief from
9 Case Management Schedule and Extending Time for Service of Summons and Complaint; [Proposed]
10 Order;

11 WHEREAS, on July 10, 2007, this Court issued its Order granting an extension of time of an
12 additional thirty (30) days time to complete service of the summons, amended complaint and other
13 required initial court issued papers on all defendants named in the action;

14 WHEREAS, plaintiffs through their former attorney of record Housing and Economic Rights
15 Advocates (HERA) served JPMorgan Chase Bank, N.A. with Summons and First Amended Complaint
16 in this action on August 1, 2007;

17 WHEREAS, plaintiffs filed a Substitution of Attorneys with this Court on August 22, 2007
18 substituting attorneys Matthew J. Webb, Esq. and Heidi M. Li, Esq., of the Law Offices of Matthew
19 Webb, as their attorney of record effective as of August 6, 2007, in place of and instead of Housing
20 and Economic Rights Advocates, in this action;

21 WHEREAS, on August 23, 2007, plaintiffs and Chase Home Finance (“Chase”), at the request
22 of legal counsel retained by Chase, filed a Stipulation Regarding Amendment to Complaint and to
23 Extend Time to File Responsive Pleading by Defendant Chase; [Proposed] Order;

24 WHEREAS the Substitution of Attorneys filed by plaintiffs on August 22, 2007 was submitted
25 only after Housing and Economic Rights Advocates’ signature consenting to this substitution of
26 counsel was obtained on August 21, 2007;

27
28 STIPULATION TO EXTEND TIME TO FILE INITIAL RESPONSIVE PLEADING; ~~[PROPOSED]~~ ORDER
(Case no. C07-02199 MEJ) -

1 WHEREAS, plaintiffs and Chase Home Finance ("Chase"), at the request of legal counsel
2 retained by Chase, filed on August 23, 2007, a Stipulation Regarding Amendment to Complaint and to
3 Extend Time to File Responsive Pleading by Defendant Chase; [Proposed] Order;

4 WHEREAS, on August 27, 2007, this Court issued an Order Approving the above-stated
5 parties' requests contained in their August 23, 2007 Stipulation Regarding Amendment to Complaint
6 and to Extend Time to File Responsive Pleading by Defendant Chase Home Finance LLC;

7 WHEREAS, on August 28, 2007, plaintiffs filed a Second Amended Complaint for damages
8 pursuant to this court's August 27, 2007 Order;

9 WHEREAS, on August 28, 2007, plaintiffs effectuated service of process of the Summons,
10 Second Amended Complaint and other required initial court papers on Chase by first class mail
11 delivery to its designated counsel;

12 WHEREAS, on August 31, 2007, plaintiffs effectuated personal service of process of the
13 Summons, Second Amended Complaint and other required initial court papers on Ocwen Loan
14 Servicing LLP ("Ocwen") through service of its authorized agent for service of process;

15 WHEREAS, effective as of August 31, and September 12, 2007, except for two defendants:
16 Eagle Literacy Group, LLC and its employee defendant Harold Blanco, plaintiffs effectuated service of
17 process of the Summons, Second Amended Complaint and other required initial court papers on all
18 other remaining defendants named in this proceeding, including Wells Fargo Bank, N.A. ("Wells
19 Fargo"); and

20 WHEREAS, the basis for the stipulation between plaintiffs and defendants Chase, Ocwen and
21 Wells Fargo for an indefinite extension of the time for Chase, Ocwen and Wells Fargo to file Answers
22 or other initial responsive pleadings to plaintiffs' Second Amended Complaint was, and is, that these
23 parties are currently engaged in meaningful, early settlement negotiations regarding the plaintiffs'
24 claims against them, such that the parties are currently very near to finalizing settlement terms, are
25 continuing meaningful negotiations on the remaining claims, and are optimistic that a final settlement
26 of all claims will be reached;

27 WHEREAS, such relief as requested from the July 10, August 27, and September 24, 2007,
28 Orders issued by this court is warranted so as to best utilize the Court's limited judicial resources and
the resources of plaintiffs and defendants Chase, Ocwen and Wells Fargo, who through their respective
legal counsel, are actively seeking in good faith for plaintiffs and defendants, Chase, Ocwen and Wells
Fargo to achieve an early settlement and/or resolution of plaintiffs' legal claims against these particular
defendants;

STIPULATION TO EXTEND TIME TO FILE INITIAL RESPONSIVE PLEADING; ~~[PROPOSED]~~ ORDER
(Case no. C07-02199 MEJ) -

WHEREAS, plaintiffs through their attorneys have undertaken in good faith and in due diligence to seek to effectuate personal service of the summons, second amended complaint and other initial court papers on defendants Eagle Literacy Group, LLC and Harold Blanco and have found said defendants to not be presently locatable at a number of publicly and other listed addresses for these defendants. Therefore, as may be necessary, plaintiffs will seek shortly through filing of an ex parte application or other required motion to obtain a court order to effectuate service by publication on these particular defendants; and

WHEREAS, Good cause exists to approve this Stipulation as no defendant has yet filed an initial responsive pleading and no prejudice will result to any of the parties. See F.R.C.P. 6(b); and Civil L.R. Rules 6-1(b), 6-2 and 7-12.

IT IS HEREBY STIPULATED by and between the parties as follows:

The deadline for defendants Chase, Ocwen, and Wells Fargo to each file an Answer or other initial responsive pleading to plaintiffs' Second Amended Complaint shall be extended indefinitely, and that the deadline for plaintiffs to complete service of the Summons, Second Amended Complaint and other initial court papers on defendants Eagle Literacy Group, LLC and Harold Blanco shall be extended indefinitely subject to further court determination and order to be issued at the Initial Case Management Conference (CMC) in this proceeding which is currently scheduled for November 15, 2007.

Respectfully Submitted,

Dated: October 22, 2007

THE LAW OFFICES OF MATTHEW J. WEBB

/s/ Heidi Li

HEIDI LI

Attorneys for Plaintiffs

Dated: October 22, 2007

LAFAYETTE & KUMAGAI LLP

/s/ Susan T. Kumagai

SUSAN T. KUMAGAI

Attorneys for Defendant

CHASE HOME FINANCE LLC

1 Dated: October 22, 2007

O'MELVENY & MYERS LLP

2 /s/ Damali A. Taylor

Damali A. Taylor.

3 Attorneys for Defendant

OCWEN LOAN SERVICING LLC

5 Dated: October 22, 2007

SEVERSON & WERSON

6 /s/ Sunny S. Huo

Sunny S. Huo

7 Attorneys for Defendant

WELLS FARGO BANK, N.A.

9
10 **SIGNATURE ATTESTATION**

11 As the attorney efileing this document with the court, I hereby attest that I have on file all
12 holograph signatures for any and all signatures indicated by a "conformed" signature (/S/) within this
13 efiled document.

15 Dated: October 22, 2007

LAFAYETTE & KUMAGAI LLP

16 /s/ Susan T. Kumagai

SUSAN T. KUMAGAI

17 Attorneys for Defendant

CHASE HOME FINANCE LLC

ORDER

The Court has reviewed the plaintiffs and defendant Chase's Stipulation Seeking Extension of Time to File Initial Responsive Pleading, and based upon the foregoing, and GOOD CAUSE APPEARING,

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that the deadline for defendants Chase, Ocwen and Wells Fargo to file an Answer or other initial responsive pleading to plaintiffs' Second Amended Complaint shall be extended indefinitely, and that the deadline for plaintiffs to complete service of the Summons, Second Amended Complaint and other initial court papers on defendants Eagle Literacy Group, LLC and Harold Blanco shall be extended indefinitely subject to further court determination and order to be issued at the Initial Case Management Conference (CMC) in this proceeding which is currently scheduled for November 15, 2007.

IT IS SO ORDERED this 14th day of November, 2007.



Hd _____
On Judge Maria-Elena James Elena James:
Magistrate Judge District Court

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